



## **Request for City Council Committee Action from the Department of Intergovernmental Relations**

Date: January 23, 2012

To: Council Vice President Robert Lilligren and Council Member Elizabeth Glidden  
Referral to: Committee of the Whole: Intergovernmental Relations

**Subject: 2012 Legislative Agenda**

**Recommendation: Approve an amendment to the 2012 Legislative Agenda by adding as the last bullet point under the Minneapolis supports section on page 13 the following language:**

- **Legislation that prohibits employers from refusing to hire unemployed persons.**

### **Department Information**

Prepared by: Gene Ranieri, Director, Intergovernmental Relations Department

Approved by: \_\_\_\_\_

Presenters in Committee:

### **Supporting Information:**

Minnesota law (Section 181.53) currently does not address unemployment as a condition precedent to employment. The proposed legislative agenda amendment would add the unemployment prohibition. Currently the statutes are silent on prohibiting unemployment as a precedent for employment.

Federal and state legislation has been introduced to prohibit employers from refusing to hire or consider for hire persons who are unemployed. The federal legislation – Fair Employment Opportunity Act of 2011 – was introduced in July 2011. New Jersey has passed a similar law and legislation is pending in New York and Minnesota.

The Minnesota bill (HF 1866 Rep. Mullery) was introduced in the House on January 24, 2012. The bill like the proposed federal law does not make the unemployed a protected class under anti-discrimination laws. The bill is focused on the process of recruiting and hiring and applies only to decisions that are based on the individual's employment status.

The legislative action occurs in response to increasing reports of employers and employment agencies requiring applicants to be employed. Additional information regarding the exclusion of the unemployed from jobs and the federal legislation can be found in a white paper on the issue prepared by National Employment Law Project. The link to the white paper is [http://nelp.3cdn.net/b4ade339e970088d72\\_alm6blqx8.pdf](http://nelp.3cdn.net/b4ade339e970088d72_alm6blqx8.pdf).